NPDES PUBLIC NOTICE

Application for National Pollutant Discharge Elimination
System (NPDES) Permit to Discharge to State Waters

Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Telephone: 814-332-6942.

PA0002674, Industrial Waste, SIC Code 2911, American Refining Group, Inc., 77 North Kendall Avenue, Bradford, PA 16701-1726. Facility Name: American Refining Group Bradford. This existing facility is located in Bradford City and Foster Township, McKean County.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream(s), Foster Brook and Tunungwant Creek, is located in State Water Plan watershed 16-C and are classified for Cold Water Fishes and Warm Water Fishes, respectively, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on a design flow of 0.45 MGD (plant design flow) and 0.1978 MGD (long term average flow).

	Mass (lb/day)		Concentration (mg/l)			
Parameters	**Average Monthly**	**Daily Maximum**	**Minimum**	**Average Monthly**	**Daily Maximum**	**Instant. Maximum**
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
BOD5	189	355		Report	Report	286
Chemical Oxygen Demand	947	1832		Report	Report	1435
Total Suspended Solids	160	249		Report	Report	243
Oil and Grease	57	111		15		30
Ammonia-Nitrogen	20	44		Report	Report	30
Total Arsenic	Report	Report		Report	Report	
Hexavalent Chromium	0.16	0.36		Report	Report	0.24
Total Chromium	1.9	5.4		Report	Report	2.9
Total Sulfide	1.07	2.36		Report	Report	1.6
Total Phenolics	0.31	0.63		0.19	0.38	0.48
Fecal Coliform (5/01-9/30) (Interim)			Report as a Geometric Average			
Fecal Coliform (5/01-9/30) (Final)			200/100 ml as a Geometric Average			

The proposed effluent limits for Outfall 004 are based on a flow of 0.0159 MGD.

	Mass (lb/day)		Concentration (mg/l)			
Parameters	**Average Monthly**	**Daily Maximum**	**Minimum**	**Average Monthly**	**Daily Maximum**	**Instant. Maximum**
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
Total Suspended Solids	Report	Report		40	80	100
Oil and Grease	Report			15		30
Total Organic Carbon		Report			110	138

The proposed effluent limits for Outfall 005 are based on a design flow of n/a MGD.
The proposed effluent limits for Outfall 007 are based on a design flow of n/a MGD.
The proposed effluent limits for Outfall 008 are based on a design flow of n/a MGD.
The proposed effluent limits for Outfall 009 are based on a design flow of n/a MGD.
The proposed effluent limits for Outfall 010 are based on a design flow of n/a MGD.
The proposed effluent limits for Outfall 012 are based on a design flow of n/a MGD.

	Mass (lb/day)		Concentration (mg/l)			
Parameters	**Average Monthly**	**Daily Maximum**	**Minimum**	**Average Monthly**	**Daily Maximum**	**Instant. Maximum**
Flow (MGD)	Report					
pH			6.0			9.0
Total Suspended Solids				Report		Report
Oil and Grease				15		30
Total Organic Carbon					110	138

In addition, the permit contains the following major special conditions:

- Stormwater Treatment Waiver and Sampling Required
- Stormwater Allowance Factors
- Chemical Additives
- Requirements Applicable to Stormwater Outfalls
- Effluent Limitations for Discharge of Hydrostatic Testing Water

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is not in effect.

APPLICATION – NPDES RENEWAL

Northwest Regional Office: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0002674 (Industrial Waste)	American Refining Group Bradford 77 North Kendall Avenue Bradford, PA 16701	McKean County Bradford City & Foster Township	Foster Brook and Tunungwant Creek (16-C)	N

To promote prompt review of draft permits by EPA Region III, please remember to send the following to EPA:

Items for a Complete Draft Permit Submittal

1.____ Permit Application (usually submitted in advance)

2.____ Draft Permit (entire permit, including boilerplate information)

3.____ Public Notice of Draft Permit (w/ date of notice if possible)

4.____ Fact Sheet/ Water Quality Protection Report

5.____ TRC Spreadsheet (if applicable)

6.____ Toxics Screening checklist to determine parameters of concern

7.____ PENTOXSD printouts showing calculated WQBELs (if applicable)

8.____ DOSAG model printouts

9.____ Calculation, via PENTOXSD or other form, of acute and chronic mixing factors

10.____ Whole Effluent Toxicity test results

11.____ WET spreadsheet showing calculated limit

12.____ WET test conclusions (usually from Central Office, but permit writers should obtain this information prior to submitting draft permit).

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER STANDARDS AND FACILITY REGULATION

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM DISCHARGE REQUIREMENTS FOR INDUSTRIAL WASTEWATER FACILITIES

NPDES PERMIT NO: PA0002674

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Section 1251 *et seq.* ("the Act") and Pennsylvania's Clean Streams Law, as amended, 35 P.S. Section 691.1 *et seq.*,

American Refining Group, Inc.
77 North Kendall Avenue
Bradford, PA 16701-1726

is authorized to discharge from a facility known as **American Refining Group Bradford**, located in **Bradford City and Foster Township, McKean County**, to **Foster Brook and Tunungwant Creek** in Watershed(s) **16-C** in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts A, B and C hereof.

THIS PERMIT SHALL BECOME EFFECTIVE ON _____

THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON _____

The authority granted by this permit is subject to the following further qualifications:

1. If there is a conflict between the application, its supporting documents and/or amendments and the terms and conditions of this permit, the terms and conditions shall apply.

2. Failure to comply with the terms, conditions or effluent limitations of this permit is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. 40 CFR 122.41(a)

3. A complete application for renewal of this permit, or notice of intent to cease discharging by the expiration date, must be submitted to DEP at least 180 days prior to the above expiration date (unless permission has been granted by DEP for submission at a later date), using the appropriate NPDES permit application form. 40 CFR 122.41(b), 122.21(d)

   In the event that a timely and complete application for renewal has been submitted and DEP is unable, through no fault of the permittee, to reissue the permit before the above expiration date, the terms and conditions of this permit, including submission of the Discharge Monitoring Reports (DMRs), will be automatically continued and will remain fully effective and enforceable against the discharger until DEP takes final action on the pending permit application. 25 Pa. Code 92.9

4. This NPDES permit does not constitute authorization to construct or make modifications to wastewater treatment facilities necessary to meet the terms and conditions of this permit.

DATE PERMIT ISSUED _____ **ISSUED BY** _____

John A. Holden, P.E.
Water Management Program Manager

DATE PERMIT AMENDMENT ISSUED _____

Permit No. PA0002674

INTERIM LIMITS

PART A – EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

I. For Outfall 002 , **Latitude** 41° 57' 58.66" , **Longitude** 78° 37' 53.38" , **River Mile Index** 12.2 , **Stream Code** 56932

Discharging to Tunungwant Creek

which receives wastewater from Crude desalting and distillation process water, steam condensate, railcar drain pans, contaminated groundwater from horizontal and vertical recovery wells, and storm water.

A. The permittee is authorized to discharge during the period from _____ through Permit Expiration Date.

B. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements, Footnotes and Supplemental Information).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Flow (MGD)	Report	Report					Continuous	Measured
pH (S.U.)			6.0			9.0	Continuous	Recorded
BOD5	189	355		Report	Report	286	2/week	24-Hr Composite
Chemical Oxygen Demand	947	1832		Report	Report	1435	2/week	24-Hr Composite
Total Suspended Solids	160	249		Report	Report	243	2/week	24-Hr Composite
Oil and Grease	57	111		15		30	2/week	3 Grabs/24 Hours*
Ammonia-Nitrogen	20	44		Report	Report	30	2/week	24-Hr Composite
Total Arsenic	Report	Report		Report	Report		2/month	24-Hr Composite
Hexavalent Chromium	0.16	0.36		Report	Report	0.24	**	24-Hr Composite

Permit No. PA0002674

INTERIM LIMITS

Outfall 002, Continued (from Permit Effective Date through _____)

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Total Chromium	1.9	5.4		Report	Report	2.9	**	24-Hr Composite
Total Sulfide	1.07	2.36		Report	Report	1.6	2/week	24-Hr Composite
Total Phenolics	0.31	0.63		0.19	0.38	0.48	**	24-Hr Composite
Fecal Coliform (5/01-9/30)				Report Geo Mean			1/Week	Grab

* -- A total of 3 individual grab samples shall be collected over a 24 hour period with a minimum interval of 6 hours between the collection of each sample. Each grab sample should be analyzed separately.

** -- See Special Condition Letter A.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 002 (prior to mixing with any other waters).

Permit No. PA0002674

FINAL LIMITS

II. For Outfall 002 **, Latitude** 41° 57' 58.66" **, Longitude** 78° 37' 53.38" **, River Mile Index** 12.2 **, Stream Code** 56932

Discharging to Tunungwant Creek

which receives wastewater from Crude desalting and distillation process water, steam condensate, railcar drain pans, contaminated groundwater from vertical and horizontal recovery wells, and storm water.

A. The permittee is authorized to discharge during the period from _____ through Permit Expiration Date.

B. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements, Footnotes and Supplemental Information).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Flow (MGD)	Report	Report					Continuous	Measured
pH (S.U.)			6.0			9.0	Continuous	Recorded
BOD5	189	355		Report	Report	286	2/week	24-Hr Composite
Chemical Oxygen Demand	947	1832		Report	Report	1435	2/week	24-Hr Composite
Total Suspended Solids	160	249		Report	Report	243	2/week	24-Hr Composite
Oil and Grease	57	111		15		30	2/week	3 Grabs/24 Hours*
Ammonia-Nitrogen	20	44		Report	Report	30	2/week	24-Hr Composite
Total Arsenic	Report	Report		Report	Report		2/month	24-Hr Composite
Hexavalent Chromium	0.16	0.36		Report	Report	0.24	**	24-Hr Composite

* -- A total of 3 individual grab samples shall be collected over a 24 hour period with a minimum interval of 6 hours between the collection of each sample. Each grab sample should be analyzed separately.

Permit No. PA0002674

FINAL LIMITS

Outfall 002, Continued (from _____ through Permit Expiration Date)

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Total Chromium	1.9	5.4		Report	Report	2.9	**	24-Hr Composite
Total Sulfide	1.07	2.36		Report	Report	1.6	2/week	24-Hr Composite
Total Phenolics	0.31	0.63		0.19	0.38	0.48	**	24-Hr Composite
Fecal Coliform (5/01-9/30)				200/100 geo mean			1/Week	Grab

* -- A total of 3 individual grab samples shall be collected over a 24 hour period with a minimum interval of 6 hours between the collection of each sample. Each grab sample should be analyzed separately.

** -- See Special Condition Letter A.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 002 (prior to mixing with any other waters).

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

III. For Outfall 004 , **Latitude** 41° 58' 43.08" , **Longitude** 78° 37' 30.76" , **River Mile Index** 11.6 , **Stream Code** 56932

Discharging to Tunungwant Creek

which receives wastewater from steam condensate and storm water associated with industrial activities.

A. The permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration Date.

B. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements, Footnotes and Supplemental Information).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Flow (MGD)	Report	Report					Continuous	Measured
pH (S.U.)			6.0			9.0	1/week	Grab
Total Suspended Solids	Report	Report		40	80	100	1/week	Grab
Oil and Grease	Report			15		30	1/week	Grab
Total Organic Carbon		Report			110	138	1/week	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 004 (prior to mixing with any other waters).

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

IV. For Outfall 005 **, Latitude** 41° 57' 49.10" **, Longitude** 78° 38' 8.73" **, River Mile Index** n/a **, Stream Code** 56932

Discharging to Tunungwant Creek

which receives wastewater from stormwater associated with industrial activities

A. The permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration Date.

B. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements, Footnotes and Supplemental Information).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Flow (MGD)	Report						2/6 months	Estimate
pH			6.0			9.0	2/6 months	Grab
Total Suspended Solids				Report		Report	2/6 months	Grab
Oil and Grease				15		30	2/6 months	Grab
Total Organic Carbon					110	138	2/6 months	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 005

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

V. For Outfall 007 **, Latitude** 41° 58’ 17.78” **, Longitude** 78° 37’ 24.20” **, River Mile Index** n/a **, Stream Code** 56932

Discharging to Tunungwant Creek

which receives wastewater from stormwater associated with industrial activies

A. The permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration Date.

B. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements, Footnotes and Supplemental Information).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Flow (MGD)	Report						2/6 months	Estimate
pH			6.0			9.0	2/6 months	Grab
Total Suspended Solids				Report		Report	2/6 months	Grab
Oil and Grease				15		30	2/6 months	Grab
Total Organic Carbon					110	138	2/6 months	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 007

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

VI. For Outfall 008 **, Latitude** 41° 58’ 26.77” **, Longitude** 78° 37’ 26.98” **, River Mile Index** n/a **, Stream Code** 56932

Discharging to Tunungwant Creek

which receives wastewater from stormwater associated with industrial activities.

A. The permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration Date.

B. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements, Footnotes and Supplemental Information).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Flow (MGD)	Report						2/6 months	Estimate
pH			6.0			9.0	2/6 months	Grab
Total Suspended Solids				Report		Report	2/6 months	Grab
Oil and Grease				15		30	2/6 months	Grab
Total Organic Carbon					110	138	2/6 months	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 008

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

VII. For Outfall 009 , **Latitude** 41° 58' 42.87" , **Longitude** 78° 37' 30.43" , **River Mile Index** n/a , **Stream Code** 56932

Discharging to Tunungwant Creek

which receives wastewater from stormwater associated with industrial activities.

A. The permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration Date.

B. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements, Footnotes and Supplemental Information).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Flow (MGD)	Report						2/6 months	Estimate
pH			6.0			9.0	2/6 months	Grab
Total Suspended Solids				Report		Report	2/6 months	Grab
Oil and Grease				15		30	2/6 months	Grab
Total Organic Carbon					110	138	2/6 months	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 009

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

VIII. For Outfall 010 **, Latitude** 41° 58’ 48.88” **, Longitude** 78° 37’ 18.15” **, River Mile Index** n/a **, Stream Code** 56936

Discharging to Foster Brook

which receives wastewater from storm water associated with industrial activities.

A. The permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration Date.

B. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements, Footnotes and Supplemental Information).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Flow (MGD)	Report						2/6 months	Estimate
pH			6.0			9.0	2/6 months	Grab
Total Suspended Solids				Report		Report	2/6 months	Grab
Oil and Grease				15		30	2/6 months	Grab
Total Organic Carbon					110	138	2/6 months	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 010

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

IX. For Outfall 012 **, Latitude** 41° 57' 55.70" **, Longitude** 78° 37' 59.19" **, River Mile Index** n/a **, Stream Code** 56932

Discharging to Tunungwant Creek

which receives wastewater from stormwater associated with industrial activities.

A. The permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration Date.

B. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements, Footnotes and Supplemental Information).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Flow (MGD)	Report						2/6 months	Estimate
pH			6.0			9.0	2/6 months	Grab
Total Suspended Solids				Report		Report	2/6 months	Grab
Oil and Grease				15		30	2/6 months	Grab
Total Organic Carbon					110	138	2/6 months	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 012

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS (Continued)

Additional Requirements

The discharger may not discharge floating materials, oil, grease, scum, foam, sheen and substances which produce color, taste, turbidity or settle to form deposits in concentrations or amounts sufficient to be, or creating a danger of being, inimical to the water uses to be protected or to human, animal, plant or aquatic life. 25 Pa. Code 92.51(6)

Effective disinfection to control disease producing organisms from the period May 1 to September 30 shall be the production of an effluent which will contain a concentration not greater than 200/100 ml of fecal coliform colonies as a geometric mean, nor greater than 1,000/l00 ml of these colonies in more than 10 percent of the samples tested.
25 Pa. Code 92.2c (b) (2)

Footnotes

(1) When sampling to determine compliance with mass effluent limitations, the discharge flow at the time of sampling must be measured and recorded.

(2) This is the minimum number of sampling events required. Permittees are encouraged, and it may be advantageous in demonstrating compliance, to perform more than the minimum number of sampling events.

Supplemental Information

X. DEFINITIONS

At Outfall (XXX) means a sampling location in outfall line XXX below the last point at which wastes are added to outfall line (XXX), or where otherwise specified.

Average refers to the use of an arithmetic mean, unless otherwise specified in this permit. 40 CFR 122.41(l)(4)(iii)

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the pollution to surface waters of the Commonwealth. BMPs also include treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. 25 Pa. Code 92.1

Bypass means the intentional diversion of waste streams from any portion of a treatment facility. 40 CFR 122.41(m)(1)(i)

Calendar Week is defined as the seven consecutive days from Sunday through Saturday, unless the permittee has been given permission by the Department to provide weekly data as Monday through Friday based on showing excellent performance of the facility and a history of compliance. In cases when the week falls in two separate months, the month with the most days in that week shall be the month for reporting.

Clean Water Act means the Federal Water Pollution Control Act, as amended. (33 U.S.C.A. §§1251 to 1387).

Chemical Additive means the chemicals that are used to control corrosion, algae, slime, fouling, oxygen or other blow down discharges in systems within a facility that might be present in its wastewater discharge. Other chemicals that would be included in this category include by are not limited to polymers, water softeners, flocculants, coagulants, emulsion breakers, dispersants, other oxygen scavenger or possible known carcinogens.

Composite Sample (for all except GC/MS volatile organic analysis) means a combination of individual samples (at least eight for a 24-hour period or four for an 8-hour period) of at least 100 milliliters (mL) each obtained at spaced time intervals during the compositing period. The composite must be flow-proportional; either the volume of each individual sample is proportional to discharge flow rates, or the sampling interval is proportional to the flow rates over the time period used to produce the composite. EPA Form 2C

Composite Sample (for GC/MS volatile organic analysis) consists of at least four aliquots or grab samples collected during the sampling event (not necessarily flow proportioned). The samples must be combined in the laboratory immediately before analysis and then one analysis is performed. EPA Form 2C

Daily Average Temperature means the average of all temperature measurements made, or the mean value plot of the record of a continuous automated temperature recording instrument, either during a calendar day or during the operating day if flows are of a shorter duration.

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day. 25 Pa. Code 92.1 and 40 CFR 122.2

Daily Maximum Discharge Limitation means the highest allowable "daily discharge."

Discharge Monitoring Report (DMR) means the DEP or EPA supplied form(s) for the reporting of self-monitoring results by the permittee. 40 CFR 122.2

Estimated Flow means any method of liquid volume measurement based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters and batch discharge volumes.

Geometric Mean means the average of a set of n sample results given by the nth root of their product.

Grab Sample means an individual sample of at least 100 mL collected at a randomly selected time over a period not to exceed 15 minutes. EPA Form 2C

Hazardous Substance means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act. 40 CFR 122.2

Immersion Stabilization (i-s) means a calibrated device is immersed in the wastewater until the reading is stabilized.

Instantaneous Maximum means the highest allowable discharge of a concentration of a substance at any one time as measured by a grab sample. 25 Pa. Code 92.1

Measured Flow means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.

Monthly Average Discharge Limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

Non-contact Cooling Water means water used to reduce temperature which does not come in direct contact with any raw material, intermediate product, waste product (other than heat), or finished product.

Severe Property Damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. 40 CFR 122.41(m)(1)(ii)

Stormwater means the runoff from precipitation, snow melt runoff, and surface runoff and drainage. 25 Pa. Code 92.1

Stormwater Associated With Industrial Activity means the discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing or raw materials storage areas as defined at 40 CFR §122.26(b)(14) and 25 Pa. Code 92.1.

Total Dissolved Solids means the total dissolved (filterable) solids as determined by use of the method specified in 40 CFR Part 136.

Toxic Pollutant means those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains may, on the basis of information available to DEP cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in these organisms or their offspring. 25 Pa. Code 92.1

XI. SELF-MONITORING, REPORTING AND RECORDKEEPING

A. Representative Sampling 40 CFR 122.4(j)(1)

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

2. Records Retention 40 CFR 122.41(j)(2)

Except for records of monitoring information required by this permit related to the permittee's sludge use and disposal activities which shall be retained for a period of at least 5 years, all records of monitoring activities and results (including all original strip chart recordings for continuous monitoring instrumentation and calibration and maintenance records), copies of all reports required by this permit, and records of all data used to complete the application for this permit shall be retained by the permittee for 3 years from the date of the sample measurement, report or application. The 3-year period shall be extended as requested by DEP or the EPA Regional Administrator.

3. Recording of Results 40 CFR 122.41(j)(3)

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

a. The exact place, date and time of sampling or measurements.
b. The person(s) who performed the sampling or measurements.
c. The date(s) the analyses were performed.
d. The person(s) who performed the analyses.
e. The analytical techniques or methods used; and the associated detection level.
f. The results of such analyses.

4. Test Procedures 40 CFR 122.41(j)(4)

Facilities that test or analyze environmental samples used to demonstrate compliance with this permit shall be in compliance with laboratory accreditation requirements of Act 90 of 2002 (27 Pa. C.S. §§4101-4113), relating to environmental laboratory accreditation. Unless otherwise specified in this permit, the test procedures for the analysis of pollutants shall be those approved under 40 CFR Part 136 (or in the case of sludge use or disposal, approved under 40 CFR Part 136, unless otherwise specified in 40 CFR Part 503 or Subpart J of 25 Pa. Code Chapter 271), or alternate test procedures approved pursuant to those parts, unless other test procedures have been specified in this permit.

5. Quality/Assurance/Control

In an effort to assure accurate self-monitoring analyses results:

a. The permittee, or its designated laboratory, shall participate in the periodic scheduled quality assurance inspections conducted by DEP and EPA. 40 CFR 122.41(e), 122.41(i)(3)

b. The permittee, or its designated laboratory, shall develop and implement a program to assure the quality and accurateness of the analyses performed to satisfy the requirements of this permit, in accordance with 40 CFR Part 136. 40 CFR 122.41(j)(4)

B. Reporting of Monitoring Results

1. The permittee shall effectively monitor the operation and efficiency of all wastewater treatment and control facilities, and the quantity and quality of the discharge(s) as specified in this permit. 40 CFR 122.41(e) and 40 CFR 122.44(i)(1)

2. Unless instructed otherwise in Part C of this permit, properly completed DMR(s) must be received by the agency(ies) below within 28 days after the end of each reporting period. The permittee shall

complete all Supplemental Reporting forms (Supplemental DMRs) provided by the Department in this permit (or an approved equivalent), and submit the signed, completed forms as an attachment to the DMR(s). If the permittee elects to use the Department's electronic DMR (eDMR) system, one electronic submission may be made for DMRs and Supplemental DMRs. If paper forms are used, the completed forms shall be mailed to:

Department of Environmental Protection Water
Management Program
230 Chestnut Street
Meadville, PA 16335-3481

U.S. Environmental Protection Agency - Region III
NPDES Discharge Monitoring Reports
1650 Arch Street
Philadelphia, PA 19103-2029

3. The completed DMR Form shall be signed and certified by either of the following applicable persons, as defined in 25 Pa. Code § 92.23:

   - For a corporation - by a principal executive officer of at least the level of vice president, or an authorized representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the NPDES form originates.
   - For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.
   - For a municipality, state, federal or other public agency - by a principal executive officer or ranking elected official.

   If signed by a person other than the above, written notification of delegation of DMR signatory authority must be submitted to DEP in advance of or along with the relevant DMR form. 40 CFR 122.22(b)(3)

4. If the permittee monitors any pollutant at monitoring points as designated by this permit, using analytical methods described in PART A XI.A.4. herein, more frequently than the permit requires, the results of this monitoring shall be incorporated, as appropriate, into the calculations used to report self-monitoring data on the DMR. 40 CFR 122.41(l)(4)(ii)

C. Reporting Requirements

1. Planned Changes 40 CFR 122.41(l)(1) - The permittee shall give notice to DEP as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required when:

   a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR §122.29(b).

   b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in this permit.

   c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

2. Anticipated Noncompliance

   The permittee shall give advance notice to DEP of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements. 40 CFR 122.41(l)(2)

3. Unanticipated Noncompliance or Potential Pollution Reporting

a. Immediate Reporting - The permittee shall report incidents causing or threatening pollution in accordance with the requirements of 25 Pa. Code Section 91.33. If, because of an accident, other activity or incident a toxic substance or another substance which would endanger users downstream from the discharge, or would otherwise result in pollution or create a danger of pollution or would damage property, the permittee shall immediately notify the Department by telephone of the location and nature of the danger and if reasonable possible to do so, notify downstream users of the waters of the Commonwealth to which the substance was discharged. Such notice shall include the location and nature of the danger. The permittee shall immediately take or cause to be taken steps necessary to prevent injury to property and downstream users of the waters from pollution or a danger of pollution and, in addition, within 15 days from the incident, shall remove the residual substances contained thereon or therein from the ground and from the affected waters of this Commonwealth to the extent required by applicable law.

b. The permittee shall report any noncompliance which may endanger health or the environment in accordance with the requirements of 40 CFR 122.41(l)(6). These requirements include the following obligations:

(i) 24 Hour Reporting - The permittee shall orally report any noncompliance with this permit which may endanger health or the environment within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which must be reported within 24 hours under this paragraph:

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit;

(2) Any upset which exceeds any effluent limitation in the permit; and

(3) Violation of the maximum daily discharge limitation for any of the pollutants listed in the permit as being subject to the 24-hour reporting requirement. Note see 40 CFR 122.44(g)

(ii) Written Report - A written submission shall also be provided within 5 days of the time the permittee becomes aware of any noncompliance which may endanger health or the environment. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

(iii) Waiver of Written Report - DEP may waive the written report on a case-by-case basis if the associated oral report has been received within 24 hours from the time the permittee becomes aware of the circumstances which may endanger health or the environment. Unless such a waiver is expressly granted by the Department, the permittee shall submit a written report in accordance with this paragraph. 40 CFR 122.41(l)(6)(iii).

4. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraph C.3 of this section or specific requirements of compliance schedules, at the time DMRs are submitted. The reports shall contain the information listed in paragraph C.3.b. (ii) of this section. 40 CFR 122.41(l)(7)

D. Specific Toxic Pollutant Notification Levels (for Manufacturing, Commercial, Mining, and Silvicultural Direct Dischargers) - The permittee shall notify DEP as soon as it knows or has reason to believe the following: 40 CFR 122.42(a)

1. That any activity has occurred, or will occur, which would result in the discharge of any toxic pollutant which is not limited in this permit, if that discharge on a routine or frequent basis will exceed the highest of the following "notification levels." 40 CFR 122.42(a)(1)

a. One hundred micrograms per liter.

b. Two hundred micrograms per liter for acrolein and acrylonitrile.

c. Five hundred micrograms per liter for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol.

d. One milligram per liter for antimony.

e. Five times the maximum concentration value reported for that pollutant in this permit application.

f. Any other notification level established by DEP.

2. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following "notification levels": 40 CFR 122.42(a)(2)

a. Five hundred micrograms per liter.

b. One milligram per liter for antimony.

c. Ten times the maximum concentration value reported for that pollutant in the permit application.

d. Any other notification level established by DEP.

PART B

I. MANAGEMENT REQUIREMENTS

A. Compliance Schedules 25 Pa. Code 92.55 and 40 CFR 122.47(a)

1. The permittee shall achieve compliance with the terms and conditions of this permit within the time frames specified in this permit.

2. The permittee shall submit reports of compliance or noncompliance, or progress reports as applicable, for any interim and final requirements contained in this permit. Such reports shall be submitted no later than 14 days following the applicable schedule date or compliance deadline. 40 CFR 122.47(a)(4)

B. Permit Modification, Termination, or Revocation and Reissuance

1. This permit may be modified, terminated, or revoked and reissued during its term in accordance with Title 25 Pa. Code 92.51(2) and 40 CFR 122.41(f).

2. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. 40 CFR 122.41(f)

3. In the absence of DEP action to modify or revoke and reissue this permit, the permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time specified in the regulations that establish those standards or prohibitions. 40 CFR 122.41(a)(1)

C. Duty to Provide Information

1. The permittee shall furnish to DEP, within a reasonable time, any information which DEP may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. 40 CFR 122.41(h)

2. The permittee shall furnish to DEP, upon request, copies of records required to be kept by this permit. 25 Pa. Code 92.51(3)(ii) and 40 CFR 122.41(h)

3. Other Information - Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to DEP, it shall promptly submit the correct and complete facts or information. 40 CFR 122.41(l)(8)

D. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, adequate laboratory controls including appropriate quality assurance procedures. This provision also includes the operation of backup or auxiliary facilities or similar systems that are installed by the permittee, only when necessary to achieve compliance with the terms and conditions of this permit. 40 CFR 122.41(e)

E. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge, sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment. 40 CFR 122.41(d)

F. Bypassing

1. Bypassing Not Exceeding Permit Limitations - The permittee may allow a bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions in paragraphs two, three and four of this section. 40 CFR 122.41(m)(2)

2. Other Bypassing - In all other situations, bypassing is prohibited and DEP may take enforcement action against the permittee for bypass unless:

   a. A bypass is unavoidable to prevent loss of life, personal injury or "severe property damage." 40 CFR 122.41(m)(4)(i)(A)

   b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance. 40 CFR 122.41(m)(4)(i)(B)

   c. The permittee submitted the necessary notice required in F.4.a. and b. below. 40 CFR 122.41(m)(4)(i)(C)

3. DEP may approve an anticipated bypass, after considering its adverse effects, if DEP determines that it will meet the conditions listed in F.2. above. 40 CFR 122.41(m)(4)(ii)

4. Notice

   a. Anticipated Bypass – If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least 10 days before the bypass. 40 CFR 122.41(m)(3)(i)

   b. Unanticipated Bypass

      (i) The permittee shall submit immediate notice of an unanticipated bypass causing or threatening pollution. The notice shall be in accordance with PART A XI.C.3.a.

      (ii) The permittee shall submit oral notice of any other unanticipated bypass within 24 hours, regardless of whether the bypass may endanger health or the environment or whether the bypass exceeds effluent limitations. The notice shall be in accordance with PART A XI.C.3.b.

II. PENALTIES AND LIABILITY

A. Violations of Permit Conditions

Any person violating Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act or any permit condition or limitation implementing such sections in a permit issued under Section 402 of the Act is subject to civil, administrative and/or criminal penalties as set forth in 40 CFR §122.4l(a)(2).

Any person or municipality, who violates any provision of this permit; any rule, regulation or order of DEP; or any condition or limitation of any permit issued pursuant to the Clean Streams Law, is subject to criminal and/or civil penalties as set forth in Sections 602, 603 and 605 of the Clean Streams Law.

B. Falsifying Information

Any person who does any of the following:

- Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, or

- Knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit (including monitoring reports or reports of compliance or noncompliance)

Shall, upon conviction, be punished by a fine and/or imprisonment as set forth in *18 Pa.C.S.A § 4904* and 40 CFR §122.41(j)(5) and (k)(2).

C. Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance pursuant to Section 309 of the Clean Water Act or Sections 602, 603 or 605 of the Clean Streams Law.

Nothing in this permit shall be construed to preclude the institution of any legal action or to relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under the Clean Water Act and the Clean Streams Law.

D. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. 40 CFR 122.41(c)

III. OTHER RESPONSIBILITIES

A. Right of Entry

Pursuant to Sections 5(b) and 305 of Pennsylvania's Clean Streams Law, and Title 25 Pa. Code Chapter 92 and 40 CFR §122.41(i), the permittee shall allow authorized representatives of DEP and EPA, upon the presentation of credentials and other documents as may be required by law:

1. To enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit; 25 Pa. Code 92.51(3)(i) and 40 CFR 122.41(i)(1)

2. To have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit; 25 Pa. Code 92.51(3)(ii) and 40 CFR 122.41(i)(2)

3. To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and 40 CFR 122.41(i)(3)

4. To sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Clean Streams Law, any substances or parameters at any location. 40 CFR 122.41(i)(4)

B. Transfer of Permits

1. Transfers by modification. Except as provided in paragraph 2 of this section, a permit may be transferred by the permittee to a new owner or operator only if this permit has been modified or revoked and reissued, or a minor modification made to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act. 40 CFR 122.61(a)

2. Automatic transfers. As an alternative to transfers under paragraph 1 of this section, any NPDES permit may be automatically transferred to a new permittee if:

   a. The current permittee notifies DEP at least 30 days in advance of the proposed transfer date in paragraph 2.b. of this section; 25 Pa. Code 92.71a(1) and 40 CFR 122.61(b)(1)

b. The notice includes the appropriate DEP transfer form signed by the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and 25 Pa. Code 92.71a(2) and 40 CFR 122.61(b)(2)

c. DEP does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue this permit, the transfer is effective on the date specified in the agreement mentioned in paragraph 2.b. of this section. 25 Pa. Code 92.71a(3) and 40 CFR 122.61(b)(3)

d. The new permittee is in compliance with existing Department issued permits, regulations, orders and schedules of compliance, or that any noncompliance with the existing permits has been resolved by an appropriate compliance action or by the terms and conditions of the permit (including compliance schedules set forth in the permit), consistent with § 92.55 (relating to schedules of compliance) and other appropriate Department regulations. 25 Pa. Code 92.71a(4)

3. In the event DEP does not approve transfer of this permit, the new owner or controller must submit a new permit application.

C. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege. 40 CFR 122.41(g)

D. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit. 40 CFR 122.21(d)

E. Other Laws

The issuance of this permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations.

PART C

I. OTHER REQUIREMENTS

A. Monitoring Waiver

Since it has been demonstrated that Total Phenolics, Total Chromium, and Hexavalent Chromium are not present in the discharge at Outfall 002, 40 CFR 122.44(a)(2) allows sampling to be waived. This waiver is valid only for the term of this permit. A request for continuance of this waiver must be submitted when applying for a renewal permit or modification to the permit. The request must demonstrate through sampling or other technical information, including information generated during an earlier permit term that the pollutant is not present in the discharge or is present only at background levels from intake water and without any increase in the pollutant due to activities of the discharger.

Sampling for those parameters shall be conducted and analytical results submitted upon the request of the Department.

B. Other Permits

Effluent limitations, monitoring requirements, and other standard and special conditions which relate to the discharges of pollutants authorized by this permit and which are contained in Water Quality Management Permit(s):

No. 4277202 issued on June 20, 1978

are superseded by the terms and conditions of this permit, unless specifically noted otherwise herein.

C. Solids Disposal

Collected screenings, slurries, sludges, and other solids shall be handled and disposed of in compliance with 25 Pa. Code, Chapter 75, and in a manner “equivalent” to the requirements indicated in Chapters 271, 273, 275, 283, 285, 287, 288, 289, 291, 293, 295, 297, and 299, Federal Regulation 40 CFR 257, Pennsylvania Clean Streams Law, Pennsylvania Solid Waste Management Act of 1980, and the Federal Clean Water Act and its amendments.

The permittee is responsible to obtain or assure that contracted agents have all necessary permits and approvals for the handling, storage, transport and disposal of solid waste materials generated as a result of wastewater treatment.

D. Temperature

Thermal discharges may not exceed 110°F (43.3°C) at any point accessible to the general public. Additionally, these discharges shall not cause a change in the stream temperature of more than 2°F during any one hour.

E. Stormwater Treatment Waiver and Sampling Required

The stormwater collected from stormwater outfalls 005, 007, 008, 009, 010, and 012 described on pages 7 – 12 of Part A under routine operations is recommended to be treated with process wastewater prior to discharge. However, this stormwater can be directly discharged without treatment from any one of these areas if the permittee obtains a discrete composite sample of the stormwater from that area, and can prove through analysis that all NPDES concentration limits for all of that outfall’s parameters can be met. A composite sample in this case consists of 4 grab samples of at least 100 milliliters, taken 15 minutes apart, that are combined prior to analysis. In the event the permittee discharges stormwater without treatment, this analytical data indicating compliance with all Outfall 005, 007, 008, 009, 010, and 012 parameters must be submitted with the next monthly DMR.

If sampling indicates that any of the concentration limits are being exceeded at a stormwater outfall, then the permittee must immediately submit a plan within 30 days of the receiving the failed test result to commingle that stormwater with process wastewater, be treated or provide a means of greater treatment for the affected outfalls, or demonstrate alternatively that it can meet all the concentrations found in the stormwater allowance table in Special Condition No. II. Demonstration of compliance using the stormwater allowance table must sample according to the required reporting frequency found in Part A of the permit.

II. Stormwater Allowance Factors

Mass Limitations described on Permit Pages 2 through 5 for Outfall 002 may be adjusted for stormwater treatment when violations to be reported are caused by excessive stormwater runoff. Procedures to be used are described below:

Upon determination that the discharge is in excess of 0.45 MGD, due to effects based upon a precipitation event or equivalent snow melt, the permittee may subtract 0.45 MGD from the recorded discharge and multiply the difference (in 1,000 gallon units) times the factors listed below for each parameter. The resulting, calculated, pound per day mass is to be subtracted from the separately determined mass load based upon the effluent flow and concentration. The difference is to be reported on the Discharge Monitoring Report (DMR).

	Stormwater Allowance Factor (1lb/1000 gallon*)	
Parameter	Average	Maximum
BOD5	0.22	0.4
TSS	0.18	0.28
COD	1.5	3.0
Oil and Grease	0.067	0.13
Phenolic Compounds	0.0014	0.0029
Total Chromium	0.0018	0.0050
Hexavalent Chromium	0.00023	0.00052
pH	Between 6.0 to 9.0 at all times	

* -- Units are 1000 gallons above design peak flow rate

The submitted DMR is to include both proof that the excess flow is stormwater or snow melt runoff related, and also the adjusted limitation methodology.

III. CHEMICAL ADDITIVES

A. Chemical additives to control corrosion, scaling, algae, slime, fouling, oxygen, etc., and blowdown discharge rates shall be managed by the permittee to ensure that toxic effects in the receiving stream are prevented. Usage rates shall be limited to the minimum amount necessary to accomplish the intended purposes of the chemical addition and approval is limited to the chemicals and usage rates contained in the application.

B. Whenever a change in chemical additive or increase in usage rates is desired by the permittee, a written notification in the format specified by the Department, shall be submitted at least sixty (60) days prior to the proposed use of the chemical. For each proposed chemical or usage rate, the written notification, as a minimum, shall include the following:

1. Trade names of additive;

2. Name and address of additive manufacturer;

3. Material Safety Data Sheet (MSDS) or other available information on mammalian or aquatic toxicological effects;

4. Bioassay data including the 96-hour LC_{50} on the whole product,

5. Proposed average and maximum additive usage rates in pounds per day;

6. A flow diagram showing the point of chemical addition and the affected outfalls;

7. The expected concentration of the product at the final outfall;

8. The product density for liquids (pounds per gallon) used to convert the usage rate (gallons per day) to in-system concentrations (Milligrams per Liter);

9. The analytical test method that could be used to verify final discharge concentrations when the product is in use and the associated minimum analytical detection level in Milligrams per Liter;

10. The conditioned water discharge rate or blowdown rate and duration in hours;

11. Available data on the degradation of or decomposition of the additive in the aquatic environment; and

12. Any other data or information the permittee believes would be helpful to the Department in completing its review.

C. Use of products or chemicals that contain one or more ingredients that are carcinogens is generally prohibited. Before proposing limited use of such products or chemicals, the permittee must first thoroughly investigate use of alternative products or chemicals to avoid the use of the carcinogens. If no suitable alternatives are available, the permittee must submit written documentation as part of the information required above, that demonstrates to the satisfaction of the Department that no suitable alternatives are available and any carcinogen in the proposed chemical or product will not be detectable in the final effluent using the most sensitive analytical method available.

D. Based on the information presented, the Department will determine within sixty (60) days whether the existing NPDES permit must be amended to include specific effluent limitations for active ingredients or other control measures. When so required, the permittee will be advised within sixty (60) days that a formal request for a permit amendment is required including a filing fee and Act 14 notices.

E. If a permit amendment application is not requested within sixty (60) days, the permittee may proceed with the use of the proposed chemical additive or usage rate.

F. Accurate records of usage (name of additive, quantity added, date added) of any approved chemical additive and blowdown discharge volumes must be maintained on the Chemical Additive Reporting Form and kept on-site by the permittee. All correspondence and notifications related to the chemical additives and usage rates must also be kept on-site with the required daily chemical usage records. If the notification is incomplete or the Department notifies the permittee that the proposed usage rate will cause violations of water quality standards, then use of the requested chemical additive or requested change in its usage rate will be denied.

IV. REQUIREMENTS APPLICABLE TO STORMWATER OUTFALLS

A. Prohibition of Non-Stormwater Discharges

1. Except as provided in A.2, all discharges to stormwater outfalls (005-012) shall be composed entirely of non-polluting stormwater.

2. The following non-polluting water discharges may be authorized, provided the discharge is in compliance with D.2.b: discharges from fire fighting activities; fire hydrant flushings, potable water sources including waterline flushings, irrigation drainage, lawn watering, routine external building washdown which does not use detergents or other compounds, pavement washwaters where spills or

leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used, air conditioning condensate, springs, uncontaminated groundwater, and foundation or footing drains where flows are not contaminated with process materials such as solvents.

B. Spills

This permit does not authorize the discharge of any polluting substances resulting from an on-site spill. Such spills shall be controlled through proper implementation of a PPC Plan as stated in Section D below.

C. This permit does not authorize any discharge (storm water or non-storm water) containing any pollutant that may cause or contribute to an impact on aquatic life or pose a substantial hazard to human health or the environment due to its quantity or concentration.

D. Preparedness, Prevention and Contingency Plans

1. Development of Plan

Operators of facilities shall have developed a Preparedness, Prevention and Contingency (PPC) Plan in accordance with 25 Pa. Code § 91.34 and the "Guidelines for the Development and Implementation of Environmental Emergency Response Plans". The PPC Plan shall identify potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges from the facility. In addition, the PPC Plan shall describe the BMPs that are to be used to reduce the pollutants in stormwater discharges at the facility ensuring compliance with the terms and conditions of this permit.

2. Non-Stormwater Discharges

a. The PPC Plan shall contain a certification that the discharge has been tested or evaluated for the presence of non-stormwater discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-stormwater discharges, the evaluation criteria or testing methods used, the date of any testing and/or evaluation, and the on-site drainage points that were directly observed during the test. Such certification may not be feasible if the facility operating the stormwater discharge does not have access to an outfall, manhole, or other point of access to the ultimate conduit that receives the discharge. In such cases, the source identification section of the PPC Plan shall indicate why the certification was not feasible. A discharger that is unable to provide the certification must notify the Department within 180 days of the effective date of this permit.

b. Except for flows from fire fighting activities, sources of non-storm water listed in A.2. (authorized non-stormwater discharges) that are combined with stormwater discharges must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-stormwater component(s) of the discharge.

3. Special Requirements for SARA Title III, Section 313 Facilities

a. Facilities subject to SARA Title III, Section 313 shall include in the PPC Plan a description of releases to land or water of Section 313 water priority chemicals that have occurred within the last three years. Each of the following shall be evaluated for the reasonable potential for contributing pollutants to runoff: loading and unloading operations, outdoor storage activities, outdoor manufacturing or processing activities, significant dust or particulate generating process, and on-site waste disposal practices. Factors to consider include the toxicity of chemicals; quantity of chemicals used, produced or discharged; the likelihood of contact with stormwater; and history of significant leaks or spills of toxic or hazardous pollutants.

b. Engineering Certification. No stormwater PPC Plan for facilities subject to SARA Title III, Section 313 requirements for chemicals that are classified as “Section 313 water priority chemicals” shall

be effective unless it has been reviewed by a Registered Professional Engineer and certified to by such Professional Engineer. A Registered Professional Engineer shall recertify the PPC Plan every year thereafter. This certification may be combined with the required annual evaluation in D.4. By means of these certifications, the engineer, having examined the facility and being familiar with the provisions of this part, shall attest that the storm water PPC Plan has been prepared in accordance with good engineering practices. Such certification shall in no way relieve the owner or operator of a facility covered by the PPC Plan of the duty to prepare and fully implement such Plan.

4. Comprehensive Site Compliance Evaluations and Record Keeping

   Qualified personnel shall conduct site compliance evaluations at least once a year. Such evaluations shall include:

   a. Visual inspection and evaluation of areas contributing to a stormwater discharge for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural stormwater management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

   b. Based on the results of the inspection, the description of potential pollutant sources identified in the PPC plan, and pollution prevention measures and controls identified in the plan shall be revised as appropriate within 15 days of such inspection and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 90 days after the inspection.

   c. A report summarizing the scope of the inspection, using the DEP's Annual Inspection Form shall be completed and made available upon request and retained as part of the PPC Plan for at least one year after coverage under this permit terminates.

E. Stormwater Management Best Management Practices (BMPs)

   The permittee shall implement at least the following BMPs:

   1) Provide for secondary containment around asphalt and petroleum product tanks; install leak detection devices

   2) When appropriate, use oil/water separators and/or equivalent methods to prevent the discharge of oil and grease in stormwater drainage.

   3) Periodically remove fugitive dust and spilled materials from the site.

F. Stormwater Sampling and Reporting

   1. If stormwater samples are required by this permit, they shall be collected as grab samples during the first 30 minutes but no later than 1 hour of the discharge resulting from a storm event that occurs at least 72 hours from the previously measurable storm event.

   2. When the discharger is unable to collect samples due to adverse climatic conditions, the discharger must submit, in lieu of sampling data, a description of why samples could not be collected, including available documentation of the event. This sampling waiver may not be used more than once during a two-year period.

   3. Stormwater monitoring results shall be summarized on a DMR form and the Department's "Additional Information for the Reporting of Storm Water Monitoring" form.

4. When a facility has two or more outfalls that may reasonably be believed to discharge substantially identical effluents, based on a consideration of features and activities within the area drained by the outfall, the permittee may sample one such outfall and report that the quantitative data also applies to the substantially identical outfalls.

5. The following table describes the outfall locations and drainage areas considered to meet the qualification of No Exposure. No monitoring or reporting requirements are required for the outfalls listed below:

Outfall No.	Acreage	Latitude	Longitude
006	9.7	41° 58' 1.57 "	78° 37' 43.1 "
011	unknown	41° 57' 44.8 "	78° 38' 11.49 "

V. SCHEDULE OF COMPLIANCE

A. This Schedule is for Fecal Coliform.

1. The permittee shall achieve compliance with final effluent limitations or terminate this discharge in accordance with the following schedule:

2. Comply with the Interim Limitations — PED

3. Progress Reports describing specific actions taken or proposed by the permittee to ensure the final effluent limitation will be met. — Quarterly

4. Comply with the Final Limitations — 1 Year after PED

B. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit to the Department a written notice of compliance or non-compliance with the specific schedule requirement(s). Each notice of non-compliance shall include the following information:

1. A short description of the non-compliance.

2. A description of any actions taken or proposed by the permittee to comply with the elapsed schedule requirement.

3. A description of any factors which tend to explain or mitigate the non-compliance.

4. An estimate of the date that compliance with the elapsed schedule requirement will be achieved and an assessment of the probability that the next scheduled requirement will be met on time.

NOTE: Submittal of all Schedule of Compliance Obligations shall be to the Department at the following address:

Department of Environmental Protection
Field Operations - Water Management
230 Chestnut Street
Meadville, PA 16335
ATTN: Compliance Specialist

PED -- Permit effective date

VI. Effluent Limitations For Discharge Of Hydrostatic Testing Water

Based on the wastewater characteristics and flow data, the following effluent limitations and monitoring requirements apply:

A. EXISTING ABOVE GROUND PST, PTL, and NGTL (all values expressed in mg/l unless otherwise noted)

DISCHARGE PARAMETER	INSTANTANEOUS MAXIMUM	SAMPLE TYPE	MONITORING FREQUENCY
FLOW (GPM)	Monitor and Report	measured	2/discharge
DURATION (HOURS)	Report	measured	continuous
SUSPENDED SOLIDS	60	grab	2/discharge
OIL AND GREASE	30	grab	2/discharge
IRON, DISSOLVED	7.0	grab	2/discharge
BENZENE[3]	0.0025	grab	2/discharge
BETX[3]	0.25	grab	2/discharge
ETHYLBENZENE[3]	Monitor and Report	grab	2/discharge
TOLUENE[3]	Monitor and Report	grab	2/discharge
XYLENES, TOTAL[3]	Monitor and Report	grab	2/discharge
DISSOLVED OXYGEN	Minimum of 5.0	grab	2/discharge
PCBs (total)[1]	Not Detectable	grab	2/discharge
TOTAL RESIDUAL CHLORINE[2,4]	0.5	grab	2/discharge
PH (S.U.)	6.0 to 9.0 at all times	grab	2/discharge
MTBE[3]	Monitor and Report	grab	2/discharge

[1] Only for existing NGTLs
[2] Only if chlorinated water is used
[3] Only if PST or PTL contained fluids likely to contain BETX or MTBE
[4] Limit is valid only for discharge rates less than 459 GPM (27560 GPH). Discharges exceeding this rate must meet a 0.05 mg/l limit.

B. NEW TANKS OR PIPELINES REGARDLESS OF FUTURE CONTENTS (all values expressed in mg/l unless otherwise noted)

DISCHARGE PARAMETER	INSTANTANEOUS. MAXIMUM	SAMPLE TYPE	MONITORING FREQUENCY
FLOW (GPM)	Monitor and Report	measured	2/discharge
DURATION (HOURS)	Report	measured	continuous
SUSPENDED SOLIDS	60	grab	2/discharge
OIL AND GREASE	30	grab	2/discharge
IRON DISSOLVED	7.0	grab	2/discharge
TOTAL RESIDUAL CHLORINE[1,2]	0.5	grab	2/discharge
DISSOLVED OXYGEN	Minimum of 5.0	grab	2/discharge
pH (STD. UNITS)	6.0 to 9.0 at all times	grab	2/discharge

[1] Only if chlorinated water used
[4] Limit is valid only for discharge rates less than 459 GPM (27560 GPH). Discharges exceeding this rate must meet a 0.05 mg/l limit.

C. OTHER CONDITIONS FOR ALL DISCHARGES

(1) Samples shall be taken at the beginning and end of the discharge period for a minimum of two sample events.

(2) There shall be no discharge of floating solids or visible foam in other than trace amounts, or the discharge of oil in amounts sufficient to cause a film or sheen upon or discoloration of the surface of the water or adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

(3) Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge pipe after treatment and/or application of BMPs.

(4) BETX shall be measured as the sum of benzene, ethylbenzene, toluene, and xylenes. Benzene shall be measured by an EPA approved method with a sensitivity of 0.001 mg/l or lower. Ethylbenzene, toluene, and xylenes shall be measured by an EPA approved method. Measurement for xylenes shall include ortho-, meta-, and para-xylene.

(5) The permittee shall notify the appropriate regional office of the Department and the Pennsylvania Fish and Boat Commission in writing 15 days prior to initiation of the hydrostatic test discharge. The notification shall include;

(a) The anticipated date of the discharge
(b) The exact location of the discharge, the name of the receiving waters
(c) The classification of the receiving waters (WWF, CWF, etc.)
(d). The estimated volume, rate and duration of the discharge
(e) The source of water to be used for testing
(f) The type of test to be performed i.e. existing tank or pipeline, new tank or pipeline, if existing, the previous contents of the tank or pipeline
(g) Any existing analytical data

(6) No erosion of banks or stream beds shall be induced by the discharge. The rate of discharge shall be controlled to prevent scouring of stream beds, and erosion of stream banks.

(7) The sample results shall be reported to the Department using the attached report form. The report form shall be submitted as an attachment to the Discharge Monitoring Report (refer to Page 22 of this permit). The sample results from the hydrostatic test discharge shall be submitted within 28 days after the end of each monthly reporting period.

D. DEFINITIONS

(1) "Estimate" means a quantified number or a value to be established after a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters and batch discharge volumes.

(2) “Existing Natural Gas Transmission Line (NGTL)” means any pipeline currently in existence which was previously used to transport natural gas.

(3) “Existing Petroleum Storage Tank (PST)” means any tank (above ground) currently in existence which was previously used to contain petroleum products.

(4) "Grab sample" means an individual sample of at least 100 milliliters collected at a randomly-selected time over a period not to exceed 15 minutes.

(5) "Hazardous substance" means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act.

(6) “Hydrostatic Testing of tanks and pipelines” refers to the use of water to test the hydraulic and structural integrity of existing or new tanks or conveyance systems under expected pressures and temperatures prior to their use for the storage or transportation of allowed in the general permit substances.

(7) "Instantaneous maximum" means the level not to be exceeded at any time in any grab sample.

(8) "Measured flow" means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained. This includes reporting the total volume of the tank or pipeline being tested and the duration of the discharge to calculate a discharge flow in gallons per minute (gpm).

(9) “New Tank” or “New Pipeline” refers to any newly constructed tank (above ground) or pipeline to be used for storing or transporting allowable liquid or gaseous products by this general permit, the term does not include any tank or pipeline which previously contained any raw material, intermediate product or final product.

(10) “Petroleum Products” mean gasoline, diesel fuel, aviation fuel, fuel oils, additives, petroleum lubricants, solvents, asphalts, and related materials which are stored, used or handled on site.

(11) “Existing Petroleum Transmission Line (PTL)” means any pipeline currently in existence which was previously used to transport petroleum products.

E. BEST MANAGEMENT PRACTICES

(1) Erosion and Sedimentation control practices at the discharge point must be in accordance with the Department’s “Soil Erosion and Sedimentation Control Manual”. The permittee shall comply with Chapter 102 of the Department’s Rules and Regulations.

(2) The use of chlorinated water such as a municipal supply should be avoided as the source of test water. If municipal water must be used, the water must be retained in the tank or pipeline for at least 24 hours prior to discharge.

(3) If surface waters are used as the source of the test water, the water withdrawn from the stream must be less than 25% of the average volume of the stream. The discharge can not increase the volume of the receiving stream by more than 25% downstream regardless of the source of the test water. The stream shall not be dewatered to the extent that downstream users, including aquatic life, are impacted during pipe filling operations. The permittee shall prevent the impingement and entrainment of fish when drawing water from a surface water body.

(4) The discharge must be controlled to the lowest possible rate (preferably less than 100 gpm) to minimize any potential impact on aquatic life and reduce erosion. In addition, withdrawals and discharges during critical stream conditions shall be avoided such as low flow, trout stocking season, spawning seasons, recreational seasons, etc.

(5) All cleaning water or solids from tanks or pipelines must be collected and taken off-site for proper disposal. This includes the “first flush” from pipeline pigging operations.

(6) For pipelines, at a minimum, haybales must be placed in a circular fashion at the discharge point with oil absorbent pads and a decant pipe for sampling purposes. The contained area must contain an energy dissipator and the bottom lined with an impermeable material.

(7) All tanks and pipelines must be thoroughly cleaned prior to hydrostatic testing to remove any contaminants to the fullest extent practicable.

(8) All water discharged must be properly directed so that it causes no nuisance conditions and does not pool or pond prior to reaching a surface water.

(9) For discharges from tanks, the decant mechanism should be placed at an adequate height on the tank to preclude drawing off settled solids from the bottom of the tank.

(10) When testing multiple tanks, the test water from the smallest tank should be conveyed to the largest tank, adding water as needed, then the last tank shall be drained in compliance with this permit.

(11) Additives such as corrosion inhibitors, bactericides, and dyes may not be added to the test water without prior approval from the regional office. Toxicity data and MSDS sheets must be submitted for prior approval before discharging them into waters.

F. MALFUNCTIONING TREATMENT SYSTEM OR CHANGE IN CONDITIONS

If, in the opinion of the Department, the treatment system and/or BMPs are not operated in compliance with the conditions of this permit, or if the character of the waste changes, there is an increased load to the treatment system, the use or condition of the receiving water changes, the effluent ceases to be satisfactory, or the discharge otherwise creates a public nuisance, then upon notice from the Department, the right to discharge pursuant to this special condition will cease. The Department may allow persons with such discharges a specified time period to implement remedial measures which result in a satisfactory effluent discharge into the receiving body of water.